

FILED
MAR - 3 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

KELLY P. CASSIDY,

Civil No. 09-1015-SU

Plaintiff,

O R D E R

v.

**GRANT COUNTY SHERIFF'S DEPARTMENT,
and CITY COUNTY INSURANCE SERVICES,**

Defendants.

Kelly P. Cassidy
P. O. Box 572
Pilot Rock, OR 97868

Pro Se Plaintiff

Gregory R. Roberson
Steven A. Kraemer
Hoffman Hart & Wagner LLP
1000 SW Broadway, 20th Floor
Portland , Oregon 97205

Attorneys for Defendants


KING, Judge:

The Honorable Patricia Sullivan, United States Magistrate Judge, filed Findings and Recommendation on February 8, 2010. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Sullivan's Findings and Recommendation dated February 8, 2010 (#17) in its entirety.

IT IS HEREBY ORDERED that defendant's Rule 12(b)(5) Motion to Dismiss (#7) is denied. Plaintiff's Motion to Strike Dismissal for Improper Service (#14) is denied as moot.

DATED this 2nd day of March, 2010.



GARR M. KING
United States District Judge